

# VANDEBURGH COUNTY, INDIANA GENERAL SPECIFICATIONS FOR REGULAR MAINTENANCE OF REGULATED DRAINS 2024

The following regulated drains in Vanderburgh County, Indiana will be maintained per requirements found in the General Specifications Section:

Baehl Ditch	Hoefling Ditch	Pond Flat Lateral "D"
Barnett Ditch	Kamp Ditch	Pond Flat Main
Barr's Creek	Kneer Ditch	Rexing Creek
Buente Upper Big Creek	Maasberg Ditch	Singer Ditch
Cypress Dale Maddox	Maidlow Ditch	Wallenmeyer Ditch
Edmond Ditch	Pond Flat Lateral "A"	
Helfrich Happe Ditch	Pond Flat Lateral "B"	



**Linda Freeman, Vanderburgh County Surveyor**

Prepared by: Michael S. Ward, Chief Deputy  
VANDERBURGH COUNTY SURVEYOR'S OFFICE  
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[www.VanderburghSurveyor.com](http://www.VanderburghSurveyor.com)

January 4, 2024

→**Bids due by 12:00 noon local time on Tuesday, March 5, 2024**←

(Bids are tentatively scheduled to be awarded on March 21, 2024.)



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## **GENERAL SPECIFICATIONS**

### **100.00 PURPOSE**

To remove all undesirable vegetation and loose debris from the Regulated Drains in Vanderburgh County as directed and determined by the Vanderburgh County Surveyor and to facilitate proper drainage.

### **200.00 SPECIFICATIONS**

#### **201.00 CLEAN, CLEAR, STERILE DITCH BOTTOMS**

The Contractor shall remove, or cause to be removed, all vegetation, loose debris, and brush from the ditch bottom. When using ground sterilants, the Contractor shall spray only the ditch bottom. No sterilants shall be sprayed, spilled, or drifted onto the side slopes of the ditch, nor outside the ditch banks. All loose debris collected as part of the work shall be properly disposed of by the Contractor and included in the bid price as a part of the work described in this section.

#### **202.00 CLEAN, CLEAR CHANNEL WITH CONTROLLED GRASS COVER**

The Contractor shall remove, or cause to be removed, all undesirable vegetation and loose debris as directed by the Vanderburgh County Surveyor within the trapezoidal channel between the ditch banks and within an area five (5) feet outside the tops of the ditch banks.

The Contractor shall maintain and leave these areas in such a manner as to promote the growth of desirable cover grasses.

When using herbicides or growth regulators, the contractor shall apply all chemicals in such a manner as to spray only within the ditch banks, and to a distance of five (5) feet outside the tops of the banks (see Special Provisions section for any increased pathway maintenance requirements).

The Contractor shall take care not to allow spray to drift or spill on crops, lawns, or other ground cover outside the five (5) foot limit at the top of the banks.

The Contractor shall properly dispose of all debris encountered during or generated by the work and the costs of such disposal shall be included in the bid price as a part of the work described in this section.

### **203.00 REMOVAL OF NOXIOUS WEEDS**

The following prohibited noxious weeds must be controlled by the Contractor if they are found within the trapezoidal channel between the ditch banks, or within the areas up to five (5) feet from the tops of the ditch banks:

Canada Thistle  
Field Bindweed  
Hoary Cress

Johnson Grass  
Perennial Sowthistle

### **204.00 SELECTING, HANDLING, APPLYING CHEMICALS**

The Contractor shall be responsible for selecting, purchasing, shipping, storing, handling, mixing, and applying all materials required to complete the work.

### **205.00 OBTAINING NECESSARY LICENSES AND PERMITS**

The Contractor shall obtain all required permits and/or licenses for applying herbicides, burning debris, or other licenses and permits required to perform all work to be performed by a contractor as described in these general specifications and all specifications attached hereto.

### **206.00 LIABILITY INSURANCE REQUIRED**

The Contractor shall carry adequate liability insurance to protect the County against any and all claims that may arise as a result of the Contractor's operations.

### **207.00 CERTIFICATE OF INSURANCE REQUIRED**

The Contractor shall provide the Vanderburgh County Drainage Board and the Vanderburgh County Surveyor with a Certificate of Insurance naming the Vanderburgh County Surveyor, and the Vanderburgh County Drainage Board as co-insured by the Contractor's liability policy.

### **208.00 STATE PESTICIDE APPLICATIONS LICENSE REQUIRED**

When submitting a bid for work including the application of herbicides, the Contractor shall provide the Surveyor with a copy of the Contractor's valid Indiana State Pesticide Applicator's License for working in regulated drain right-of-way.

### **209.00 LABEL SPECIMENS REQUIRED**

The Contractor shall submit the names of all chemicals to be used, with label specimens, no less than fourteen (14) days prior to any chemical application.

## **210.00 WORK LOG REQUIRED**

The Contractor shall maintain a log of spraying activity containing the following information:

210.01 Ditch Name	210.05 Start & Stop Work Times
210.02 Spray Date	210.06 Begin & End Work Locations
210.03 Wind Speed & Direction	210.07 Applicator's Name(s)
210.04 Temperature(s)	210.08 Operator's Name(s)

"Work Logs" also called "Spray Sheets" shall be surrendered to the Vanderburgh County Surveyor upon completion of the work; and shall be available for inspection by the Surveyor at all times during the Contract period.

## **211.00 SPRAYING PROHIBITED ON WINDY DAYS**

No spraying shall be done when the wind speed is in excess of eight (8) mile per hour.

## **212.00 CUTTING WEEDS TO ACHIEVE KILL PERCENTAGE**

If the Vanderburgh County Surveyor determines that chemical control of vegetation is not sufficient to achieve the required kill percentage, the Contractor shall cut the vegetation and remove the clippings and debris to achieve the required kill.

## **213.00 LIMITED BURNING – non-preferred method of disposal**

Burning may be used for removal and disposal of clippings after obtaining proper permits, variances, and permissions, including those from the Environmental Protection Agency, 100 E Walnut Street – CK Newsome Center, Suite 100, Evansville, IN 47713. Their phone number is 812-435-6145. EPA's FAX number is 812-435-6155 and their e-mail address is [eeepa@evansvillegov.org](mailto:eeepa@evansvillegov.org).

## **214.00 CLIPPINGS AND DEBRIS REMOVAL REQUIRED – preferred method**

The Contractor shall remove all clippings and loose debris in a timely fashion to avoid material washing downstream.

214.01 All loose debris which can be lifted out of the ditch using on-site manpower and equipment shall be removed as part of the Work.

214.02 For debris too large to be removed by on-site manpower, tools, and equipment, the Contractor shall notify the Surveyor immediately to arrange additional work.

214.03 All loose material generated by work of the Contractor that later accumulates and blocks the flow of the ditch will be removed at the Contractor's expense.

Debris that has been chipped and evenly spread outside the channel is exempted from 214.03.

The Vanderburgh County Surveyor shall serve as sole agent and authority for final determination of appropriateness of actions required to comply with this section.

## **215.00 CHEMICAL APPLICATION DATES**

The Contractor shall make all non-dormant chemical applications between April 1st and June 30th, unless product labeling requires otherwise. Contractor shall be responsible for submitting alternate application schedule to Surveyor.

All spraying (herbicide applications) and other specified activities shall be completed in accordance with schedules in the Special Provisions for ditches that are covered within said Special Provisions.

Any chemical applications not falling within the above dates should be discussed with and agreed upon by the Vanderburgh County Surveyor when submitting labeling and chemical information.

## **216.00 MOWING, AND DEBRIS REMOVAL DATES**

216.01 The Contractor shall complete all mowing, cutting, burning, and loose debris removal between August 31st and October 31st on ditches that are covered under the General Specifications unless notified otherwise by the County Surveyor. This is also known as Annual or Regular Maintenance.

216.02 Ditches that require an additional 'Late Spring' mowing shall be mowed between May 15th and June 15th unless otherwise notified by the County Surveyor.

216.03 The Contractor shall contact the Vanderburgh County Surveyor at least twenty-four (24) hours prior to any mowing activity. Crop damage notification is required by the Contractor prior to mowing through planted crops; no exceptions will be granted.

216.04 The County Surveyor shall serve as final authority for determining appropriate mow schedule relative to potential crop damage as a result of this section.

216.05 All mowing, tree and brush removal that does not involve excavation or other soil disturbing activities shall be completed no later than October 31st unless otherwise directed by the County Surveyor.

## **217.00 LIMITED TIME EXTENSION ALLOWED**

Extensions beyond the time schedules outlined above will be granted by the Vanderburgh County Surveyor only for unusual weather conditions, product labeling requirements, or special circumstances including determinations made relative to crop damage.

## **218.00 FINAL ACCEPTABILITY DETERMINED BY SURVEYOR**

The final determination of the acceptability of the Contractor's work shall be made by the Vanderburgh County Surveyor or designated representative; and:

No payments will be made to the Contractor until the Vanderburgh County Surveyor approves the work.

**WARNING:** A Contractor operating outside the limits imposed by these specifications risks the loss of payment for any and all work up to and including total payment.

## **219.00 PAYMENTS FOR APPROVED WORK**

All payments for approved work shall be made by warrants approved by the County Auditor subsequent to the Contractor's submittal of claims to the Drainage Board made through the Surveyor on prescribed forms available from the Auditor or the Surveyor.

After the work is completed a minimum fifteen (15) percent retainage will be withheld from payments due the Contractor. This is required by Indiana State Statute. The retainage will be paid after the Contractor certifies that all expenses incurred by the Contractor in the performance of the maintenance of the legal drain have been paid and sixty (60) days have elapsed since project completion.

## **300.00 DEFINITIONS**

301.00 BRUSH: Shall include all vegetation, other than "desirable cover grasses", and less than eight (8) feet in height from the point of emergence.

302.00 CHANNEL: That part of the waterway existing between the top of one bank and the top of the opposite bank. The generally trapezoidal section of the waterway.

303.00 DESIRABLE COVER GRASSES: Shall include, but are not limited to, all fescue, perennial rye, wheat, timothy, bluegrass; or other vegetation designated as desirable by the Vanderburgh County Surveyor.

304.00 DITCH BOTTOM: The area from the toe of one ditch bank across the flow line to the toe of the opposite ditch bank; or the area which is generally submerged, wet, or damp during low water conditions.

305.00 LOOSE DEBRIS: Shall include, but are not limited to, all clipping and other waste generated by the Contractor along with any other loose materials encountered by the Contractor during the course of the work.

306.00 SOIL DISTURBING ACTIVITY: Any activity that removes the natural vegetation or man-made cover of the surface of the Earth that results in the exposure of the underlying soil.

307.00 UNDESIRABLE VEGETATION: Shall include, but is not limited to, broadleaf weeds, noxious weeds, cattails, reeds, tree sprouts, bushes, bamboo, cane, vines, or other vegetation designated as undesirable by the Vanderburgh County Surveyor.

308.00 VANDERBURGH COUNTY SURVEYOR; COUNTY SURVEYOR; or SURVEYOR: The Vanderburgh County Surveyor or her designated representative.

309.00 VEGETATION: Shall mean all plant life growing or dormant and total plant cover attached thereto and found within the work area.

#### **400.00 GENERAL NOTES**

\* The Indiana Drainage Statutes provide a right-of-entry upon all land alongside Regulated Drains for the purpose of maintaining the drains and that the landowner may use the land so long as such use does not interfere with the purposes of the drain.

\* The rights-of-entry for legal drains in Vanderburgh County are:

1. Urban drains, a minimum of twenty-five (25) feet from the top of each bank.
2. Rural drains, a maximum of seventy-five (75) feet from the top of each bank.

#### **500.00 SOIL DISTURBING ACTIVITIES**

##### **501.00 SEEDING, MULCHING AND FERTILIZING**

All work that involves excavating or soil disturbing activities shall be completed no later than September 15th and shall include seeding, mulching and fertilizing as directed by the County Surveyor. Seed mixtures will include grasses, legumes and other seed appropriate to the site and as listed in the specifications for the jobs or as specified by the USDA, NRCS or per the Vanderburgh County Surveyor's direction.

##### **502.00 SILT DIPPING**

Any silt dipping projects shall be accomplished from one side of the ditch only. The contractor may move to the other side, but shall not disturb both banks along the same portion of the ditch. The embankments and channel shall be repaired and all disturbed areas (except ditch bottom) shall be seeded, mulched and fertilized.



## **Special Notice Regarding Excavation in Ditch Channels**

After January 1, 2010, as part of any work on regulated drains in Vanderburgh County, Indiana:

All excavation work including silt dipping, sediment removal, embankment repairs, reconstruction or other land disturbing activities within the channel and to the extent of land disturbance outside the channel must begin no sooner than the 1<sup>st</sup> day of July and be completed and prepared for reseeding or application of erosion control fabrics, rip rap or other stabilizing materials no later than the 10<sup>th</sup> day of September unless specifically authorized by the Vanderburgh County Surveyor or authorized representative.

All spoil and excess earth generated by the work must be spread across the adjacent seventy-five (75) feet outside the top of each bank, or to a distance specified in the bid documents for an individual job, and to a depth not to exceed one/half (0.5) foot greater in elevation than existed prior to the work and in a fashion as will not alter the pre-project pattern of surface storm water run-off or impede the flow of surface run-off from adjacent land into the ditch channel or designated inlets.

If the spreading of the spoil as required in the paragraph above cannot be achieved, the county surveyor will provide for alternative disposal, and the specifications will contain specific instructions with regard to such alternative disposal. In such cases, the bid price for the work must contain cost item(s) for such alternative disposal.

If the spoil or excess soil can be and is intended to be spread across adjacent land surfaces but the land owner wishes the spoil or excess soil transported and applied to other land surfaces on the appropriate landowner's property, then the relevant landowner shall pay any excess cost of such transportation and disposal, and such costs and other arrangements shall be arrived at between the contractor and the landowner without the involvement or the liability of the county surveyor or county drainage board.

Damages to crops or property outside the designated work areas or designated ingress/egress to the work areas specified in the contract documents or attachments thereto shall be solely the responsibility and at the cost of the contractor.

Reseeding, sodding or any other method of revegetation of the work areas within the repaired, reworked or reconstructed channel must be completed no later than September 15 of the same year in which the excavation was completed and, in a manner, as instructed in the specifications for the work.

The reseeded, sodded or otherwise revegetated work site must be inspected and approved as adequate final land surface stabilization by the county surveyor or authorized representative within sixty (60) days of the completion of activity to reseed, sod or otherwise revegetate the work area.

The county surveyor or authorized representative thereof will notify the affected landowner(s) of the intent to complete work during a crop season and the landowner can then make the choice whether to plant a crop knowing the peril of losing the crop to the proposed work between July 1 and September 15 of the same year. Therefore, the county surveyor and the county drainage board shall not be liable for crop damages within the 75 feet disposal zone on each side of the channel bank as described above.

**IMPORTANT NOTES TO THE CONTRACTOR:**

- *If any of the work will damage crops, gardens, trees, or other property, the Contractor must notify the Vanderburgh County Surveyor quickly enough that the property owner can be notified no less than ten (10) days prior to the contemplated damage.*
- *The Contractor must notify the Surveyor or his designated representative PRIOR to the start of any work on an individual drain, ditch or project.*
- *The Contractor must notify the Surveyor or his designated representative within twenty-four (24) hours of completion of work on an individual drain or ditch or by the next business day if work is completed on a holiday or during the weekend.*
- *Spray contractors shall notify Surveyor of impassable or very difficult areas of accessibility with a written description of the area and the legal drain.*

***\*\*Bids are due March 5, 2024 – Tuesday – 12:00 noon\*\****

YOU MAY HAND DELIVER THE BID ENVELOPE(S) OR MAIL IT TO THE AUDITOR; BUT EITHER WAY, IT MUST BE IN THE AUDITOR’S HANDS AND STAMPED “RECEIVED” NO LATER THAN 12:00 NOON LOCAL TIME, TUESDAY, MARCH 5, 2024.

**DATES FOR STARTING WORK AND COMPLETION DATES:**

<b>Category of Work:</b>	<b>Earliest Start Date:</b>	<b>Must Be Completed By:</b>
Annual or Regular Maintenance: Spraying	April 1 & prior to crop damage	July 31, 2024
Annual or Regular Maintenance: Mowing	April 1	Single Mow: October 31, 2024
Mowing – Spring	Award Date 2024	April 15, 2024 or within 1 week of award
Mowing – Late Spring	May 15, 2024	June 15, 2024
Mowing – Mid Summer	July 15, 2024	August 15, 2024
Mowing – Fall	September 15, 2024	October 15, 2024
Spraying – Broadleaf; Brush; Sterilization	April 1 & prior to crop damage	June 30, 2024
Spraying – Dormant	No sooner than harvest 2024	No later than March 15, 2025
Soil Disturbing – Requires seed & mulch	April 1, 2024	September 15, 2024

Dates are subject to change with minimum 15 day notification to the Contractor by the Vanderburgh County Surveyor. Any dates that conflict with label directions need to be brought to the attention of the County Surveyor. This includes spraying, mowing, or other work.

2024 Annual Maintenance linear footage to be paid is as follows:

Ditch Name	Total Linear Feet	Linear feet to bid for 2024
BAEHL	6,890	6,890
BARNETT*	8,358	6,096
BARR'S CREEK	20,293	20,293
BUENTE UPPER BIG CREEK	20,195	20,195
CYPRESS DALE MADDOX*	23,887	17,201
EDMOND*	15,395	10,075
HELFRICH-HAPPE	12,698	12,698
HOEFLING	5,571	5,571
KAMP	11,160	11,160
KNEER	2,736	2,736
MAASBERG	2,206	2,206
MAIDLOW	18,671	18,671
POND FLAT LAT. A	5,311	5,311
POND FLAT LAT. B	2,797	2,797
POND FLAT LAT. D	4,579	4,579
POND FLAT MAIN	36,852	36,852
REXING CREEK	17,096	17,096
SINGER	2,450	2,450
WALLENMEYER	8,355	8,355

\*Portions to be sprayed – see Special Provisions Section for locations & footages.

(Barnett – 2,262 l.f., Cypress Dale Maddox – 6,686 l.f. and Edmond – 5,320 l.f. portions to be sprayed in 2024)



\*\*\*\*\*Bids due by 12:00 noon local time on Tuesday, March 5, 2024\*\*\*\*\*

(Bids are tentatively scheduled to be awarded on March 21, 2024)

**These specifications may be accessed online at**  
[www.VanderburghSurveyor.com](http://www.VanderburghSurveyor.com).